

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**KIMBERLY STARLING,**

Plaintiff,

v.

**No. 4:24-cv-00917-P**

**MARA DAY SPA LLC,**

Defendant.

**ORDER**

On September 26, 2024, Plaintiff initiated this lawsuit. ECF No. 1. The clerk issued a summons the next day. ECF No. 4. Plaintiff served Defendant on October 7, 2024, and filed a return of service. ECF No. 7. Under Rule 12 of the Federal Rules of Civil Procedure, Defendant had until October 28, 2024, to answer or otherwise respond. That deadline passed, and Defendant has done neither.

Accordingly, the Court **ORDERS** Plaintiff to move for clerk's entry of default **on or before Tuesday, November 12, 2024**. Otherwise, the Court may dismiss Plaintiff's action under Rule 41(b) for failure to prosecute. FED. R. CIV. P. 41(b).

**SO ORDERED** on this **29th day of October 2024**.

A handwritten signature in black ink, reading "Mark T. Pittman", written over a horizontal line.

Mark T. Pittman

UNITED STATES DISTRICT JUDGE